

1 RICK A. YARNALL
2 CHAPTER 13 BANKRUPTCY TRUSTEE
3 701 Bridger Ave
Suite 820
Las Vegas, NV 89101
(702) 853-4500

E-FILED

4
5 **UNITED STATES BANKRUPTCY COURT**
6 **DISTRICT OF NEVADA**

7 IN RE:
8 PAULINE YOUNG

9 CASE NO: BKS-19-12972-BTB

10
11 CHAPTER 13
12 Hearing Date: 10/31/2019
13 Hearing Time: 1:30 PM

14 THOMAS E CROWE PROFES
15 Attorney for the Debtor

16 **SUPPLEMENTAL TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN**

17 Chapter 13 Bankruptcy Trustee, RICK A YARNALL, TRUSTEE, hereby objects to confirmation of the Chapter 13
18 Plan. The Debtor filed for Chapter 13 relief on 5/10/2019. The 341(a) Meeting of Creditors held on 8/13/2019 at 11:00
a.m. was continued. The Trustee objects to confirmation of the plan for the following reason:

19 In order to complete his investigation into the Debtor's financial affairs, Trustee requires the following
20 documentation:

21

- 22 • Verification of all sources of income received each month through confirmation of the plan;
- 23 • Paystubs: /verification of all sources of income & P&Ls: Nov thru April
- 24 • Bank Statements: Weststar CU #2866 Nov-Dec; California Bank & Trust #1726 Nov-Feb 6; WF #2686 Dec 29-Jan 28 ;
WF #2964 Dec 21-Jan 22; WF #5992 Nov-May 10
- Copy of Rental Agreement

25 Trustee asks that this Court allow him to supplement this opposition after all required documents have been
26 provided to the Trustee.

27 Trustee requests that the following amendments are made:

28

- Schedule I: include rental income;

29 Trustee objects to the following exemptions claimed on Schedule C:

1 ● Other: Real Property Hinnen Ave, Hacienda Heights, CA exempted under NRS 21.090 (1)(l) as exemption claimed is
2 improper

3 Trustee objects to the following lines on the Debtor's Form B22C1:

4 ● Other - include rental income

5 These objections increase the Debtor's disposable income. Debtor's plan does not provide for all of Debtor's
6 disposable income, therefore Trustee requests that confirmation of the plan be denied .

7 Trustee further opposes confirmation for the following reasons:

8 ● Debtor(s) are ineligible to receive a discharge. Debtor(s) received a previous discharge within the time frames set out
9 in § 1329(f). Trustee requests that Section 1.01 of the plan be amended to reflect that the debtor is not eligible for a
10 discharge. Trustee further requests that the confirmation order make a determination of Debtor (s) ineligibility for a
11 discharge;

12 ● Plan is not feasible;

13 ● Other: Section 2.5: plan payments must commence no later than 30 days from petition filing .

14 ● Other: Section 4.5: provide for post-petition payments for June thru August , 2019

15 ● Other: clarify treatment of home.

1 Trustee reserves the right to make further objections to confirmation and requests for documentation until the above
2 mentioned documents have been received, amendments have been made, and the plan is ultimately confirmed or
3 dismissed. In the event that the Debtor(s) fail to timely resolve Trustee's objection to confirmation, Trustee requests that
4 confirmation be denied.

5 Therefore, the Trustee objects to confirmation for the foregoing reasons and recommends that confirmation be denied and
6 that this case be dismissed.

7 DATED this 4th day of October, 2019.

8
9 /s/ Rick A. Yarnall

10 RICK A. YARNALL

11 Chapter 13 Bankruptcy Trustee

12 701 Bridger Ave, Suite 820

13 Las Vegas, Nevada 89101

14 **CERTIFICATE OF SERVICE**

15 I hereby certify that I am an employee of RICK A. YARNALL, Chapter 13 Bankruptcy Trustee; that I am over the age
16 of 18 years; and that on the 4th day of October, 2019, I provided a copy of the Trustee's Opposition to Confirmation
17 of Plan Combined With a Certificate of Service to each of the following by:

18 [x] a. **ECF System:**

19 THOMAS E. CROWE tcrowe@thomascrowelaw.com, tcrowe@lvcoxmail.com; appstcl@yahoo.com
•RAYMOND A. JEREZA ecfnvb@aldridgeppte.com, RJereza@ecf.courtdrive.com

20 [x] b. **United States mail, postage fully prepaid:**

21
22 PAULINE YOUNG
23 3859 SOUTH VALLEY VIEW BLVD., #2-176
24 LAS VEGAS, NV 89103

/s/ Cindy Coons

Cindy Coons, an Employee of
RICK A. YARNALL
Chapter 13 Bankruptcy Trustee